

Message Text

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ACTION L-01

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C O N F I D E N T I A L BUENOS AIRES 0359

LIMDIS

E.O. 11652: XGDS-2
TAGS: PLOS, PBOR, PFOR, ICJ, CA, AR
SUBJECT: POSSIBLE CANADA-US ICJ SUBMISSION ON OFFSHORE BOUNDARY
QUESTION

REF: STATE 005301

1. BASIC BIOGRAPHIC DATA CONCERNING JOSE MARIA RUDA SHOULD BE AVAILABLE IN DEPT. EMBASSY BIOGRAPHIC FILE CONTAINS COPY OF AIRGRAM ON RUDA NOMINATION AS GOA AMBASSADOR TO UN DATED OCT 3, 1964. THIS REPORT CONTAINS BASIC DATA AND DETAILED EVALUATION OF RUDA, NRECODING HIM AS ABLE AND WELL-DISPOSED TO US. AS AIRGRAMY MAY HAVE BEEN RETIRED, COPY IS BEING POUCHED TO ARA/EC FOR DELIVERY TO INTERESTED OFFICE.

2. URDA IS HIGHLY REGARDED IN ARGENTINA A A LAWYER AND DIPLOMAT. HE IS EXPERIENCED AND KNOWLEDGEABLE IN LOS MATTERSN HAVING DEALT WITH THEM AS LEGAL ADVISOR IN THE FOREIGN MINISTRY AND AS AMBASSADOR AT THE UN. THIS CONNECTION DID NOT EXTEND APPARENTLY TO ACTUAL PARTICIPATION IN LOS DELEGATIONS, BUT WITH ESTABLISHMENT OF GOA POSTIONS, DRAFTING OF INSTRUCTIONS AND POLICY RECOMMENDATIONS. HE IS UNDERSTOOD TO HAVE BEEN INVOLVED AND INFLUENTIAL IN THE STUDY AND DECISION-MAKING CONCERNING SETTLEMTN OF MARITIME BOUNDARIES WITH URUGAY IN THE RIVER PLATE DELTA IN THE EALY
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2. A FOREIGN MINISTRY SOURCE WHO WORKED DIRECTLY FOR RUDA IN THE PAST DESCRIBED HIM AS "LIBERAL AND ANTI-PERONIST." IN ARGENTINE TERMS THIS WOULD MAKE HIM WHAT IN OUR USAGE WOULD BE CALLED A MODERATE CONSERVTATIVE, AND THE SOURCE INDICATD THAT HIS RELATIONS WITH THE PRESENT MILITARY GOA ARE MUTUALLY SATIS-

FACTORY AT A MINIMUM. SOURCE DESCRIBED RUDA AS VERY INDEPENDENT, HOWEVER, AND DOUBTED THAT RUDA WOULD ACCEPT OR SEEK GUIDANCE FROM HIS OWN GOVERNMENT IN MATTERS PERTAINING TO HIS DUTIES AS A JUSTICE OF THE ICJ, UNLESS OF COURSE A MATTER OF DIRECT AND VITAL INTEREST TO HIS COUNTRY WAS INVOLVED. ON THE OTHER HAND, SOURCE SAID THAT RUDA HAD TOLD HIM PERSONALLY THAT MILITARY HAD OFFERED POST OF FOREIGN MINISTER TO HIM JUST BEFORE COUP OF MARCH 1976. RUDA DECLINED, ON BASIS THAT HE WAS COMMITTED TO ICJ. SOURCE SAID HE HIMSELF BELIEVED THAT RUDA ALSO SAW NO REASON TO EXCHANGE SECURITY, PAY AND PRESTIGE OF ICJ FOR SOMETHING AS INSECURE AS CABINET POST IN MILITARY GOVERNMENT. (WE HAVE NOT HEARD THIS LATTER STORY BEFORE, AND CANNOT JUDGE ITS VALIDITY. HOWEVER, A NUMBER OF PEOPLE HAVE CLAIMED TO HAVE BEEN APPROACHED ABOUT THE JOB, AND IT MAY BE THAT ELEMENTS IN THE ARMED FORCES BEFORE THE COUP MADE VAGUE STATEMENTS TAKEN BY RECIPIENTS TO HAVE BEEN OFFERS OR PROMISES WHEN THEY IN FACT WERE NOT AUTHORIZED OR PERHAPS SERIOUS.)

3. ON SPECIFIC QUESTION OF GOA EXPERIENCE AND POLICY IN DRAWING OF MARITIME BOUNDARIES, CONCLUSION MUST BE THAT ARGENTINA WILL REGARD SUCH QUESTIONS IN LIGHT OF SPECIFIC CIRCUMSTANCES OF EACH CASE. IN ITS OWN SETTLEMENT WITH URUGUAY IN THE RIVER PLATE, IT ENDORSED THE PRINCIPLE OF THE FEQUIDISTANT LINE. AN OFFICIAL DEALING WITH LOS MATTERS IN THE FOREIGN MINISTRY ADMITTED HOWEVER THAT IN UNLIKELY EVENT GOA SHOULD EVER RECOGNIZE BRITISH SOVEREIGNTY OVER FALKLAND ISLANDS, IT WOULD PROBABLY PRESS ITS CLAIM FOR JURISDICTION OVER INTERVENING WATERS USING ARGUMENTS BASED ON EXTENSION OF ITS CONTINENTAL SHELF, RELATIVE EXTENT OF COASTS, ETC. ARGENTINA'S OTHER POTENTIAL DISPUTES OVER MARITIME DELIMITATION.

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TATIONS CENTER IN STRAITS OF MAGELLAN AND BEAGLE CHANNEL, AND ARE ALSO BASICALLY QUESTIONS OF SOVEREIGNTY DISPUTES OVER LAND AREAS, WITH RESULTANT POTENTIAL NEED FOR ADJUSTMENTS OF MARITIME LIMITS, RATHER THAN LOS QUESTIONS DIRECTLY. ARGENTINA DOES NOT APPEAR TO HAVE A SITUATION ANALOGOUS TO THE GULF OF MAINE DELIMITATION, AND ITS MOST LIKELY COURSE OF ACTION IN CASE DISPUTE REACHED ICJ WOULD BE TO ABSTAIN FROM ATTEMPTING TO INVOLVE ITSELF OR TO INFLUENCE OUTCOME. IT WOULD HAVE LITTLE TO GAIN FROM TWEAKING US NOSE ON BEHALF OF CANADA.

4. PRELIMINARY RESEARCH INDICATES THAT IT WILL BE DIFFICULT TO OBTAIN FURTHER INFORMATION OF THE NATURE REQUESTED CONCERNING RUDA, WITHOUT GOING TO THE MAN HIMSELF OR MAKING HIM QUICKLY AWARE OF OUR INTEREST BY INQUIRIES AMONG PERSONS WHO ARE CERTAIN TO INFORM HIM OF THEM. RUDA IS APPARENTLY IN BUENOS AIRES AT THIS TIME, AND ONE SOURCE OFFERED TO INTRODUCE EMBOFF TO HIM AS SOON AS NAME WAS MENTIONED. UNLESS OTHERWISE INSTRUCTED, WE WILL CONDITION FURTHER RESEARCH TO NEED TO AVOID ALERTING GOA AND RUDA TO OUR SPECIAL INTEREST.

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